

REMARKS

Claims 1-19 are pending in the application. The Examiner has required restriction of the pending claims under 35 U.S.C. §§ 121 and 372 to one of the following groups:

- I. Claims 1-16, drawn to a method of treating, preventing or managing lupus comprising administering to a patient in need of such treatment a therapeutically or prophylactically effective amount of clofarabine or a pharmaceutically acceptable salt, stereoisomer, solvate, hydrate, clathrate, prodrug or metabolite thereof; and
- II. Claims 17-19, drawn to a pharmaceutical composition for treatment of lupus comprising a therapeutically effective amount of clofarabine that is sufficient to treat lupus and which is insufficient to cause adverse effects associated with purine nucleosides.

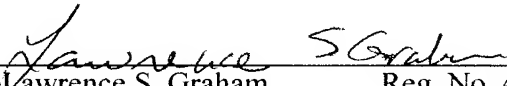
Office Action at page 2. Applicants hereby elect to prosecute the invention of Group II, claims 17-19.

The Examiner has further required, if either Group I or Group II claims are elected, election of a single additional therapeutic agent, as listed in claim 10. Office Action at page 3. Applicants elect an immunomodulatory agent. Claims 17-19 are readable upon the elected species.

Applicants respectfully request that the present remarks be made of record in the file history of the present application. An early allowance of the application is earnestly requested. The Examiner is invited to contact the undersigned with any questions concerning the application.

Respectfully submitted,

Date: February 11, 2008

By: 
Lawrence S. Graham Reg. No. 49,020
For: Anthony M. Insogna Reg. No. 35,203
JONES DAY
222 East 41st Street
New York, NY 10017-6702
(212) 326-3939